

HAWAIIAN GAZETTE

Entered at the Postoffice of Honolulu, H. T., Second-class Matter.
Semi-Weekly—Issued Tuesdays and Fridays.

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Subscription Rates:

Per Month.....\$.25 Per Month, Foreign.....\$.35
Per Year.....\$ 2.00 Per Year, Foreign.....\$ 4.00

Payable Invariably in Advance.

CHARLES S. CRANE, Manager.

TUESDAY : : : : : DECEMBER 1

AMERICA'S DUTY TOWARD HAYTI.

The cable again tells us that anarchy prevails in Hayti and that wholesale executions are going on. It is a story made old by repetition and it points to circumstances no more excusable than those in Cuba which brought the United States into conflict with Spain. Indeed, there is little difference between politics in Hayti, in its forms of outlawry, and the piracy of the Spanish Main which, in the early part of the nineteenth century, all civilized powers combined to crush.

It is a potent question whether the United States, as the chief civilizing agency on this continent, has not a serious responsibility for Hayti. The custom of the world has been and still is, for Christian powers to acquire such territories, particularly insular ones, as can not guarantee their own peace and which set an example of lawlessness and savagery. Thus France took over Madagascar; thus the cannibal isles of the Pacific were seized and redeemed; thus Patagonia was absorbed by the Argentine and India conquered by the British. But for the Monroe doctrine Europe would long ago have made Hayti peaceable. To be sure, it might have also acted from other motives there, but the civilization established would have raised no question as to those.

The United States can not afford to let the Monroe doctrine become the basis of bad government, the shield of outlawry. True, the Advertiser has little faith in that doctrine as fitted to the conditions of this country. It believes that the protection it has given to the robber governments of Latin America, has kept a continent from becoming a hive of industry and a mainstay of commerce; but so long as the Monroe doctrine is cherished at Washington, it is the plain duty of the United States not to let actual barbarism flourish under it and in a sense because of it. Hayti ought to be made to feel the iron hand. We conceive its task of self-improvement to be more hopeless than it was a century ago. The country is inhabited by a mongrel race of French negroes, given to voodooism, tyranny and murder and sinking lower and lower in the social scale as time goes on. Nothing can save it but the interference of a great and benevolent power, which first suppresses anarchy, then establishes garrisons and schools, then builds roads and water systems and sanitary plants and by force and precept bring the people to understand what the world expects of them and what their own well-being requires. The United States has gone to the Old World to do precisely that work and is succeeding in it; and why should it not respond to a similar need which cries out at its very doors? America has declared that it will protect Hayti from foreign encroachment and surely it should compel it to change conditions against which any civilized power has the right to protest and which shock the common instincts of humanity.

TENEMENT HOUSE NUISANCE.

The protest of the Hawaii Shingo against the seeming inclination of many to make a race question of the agitation raised against the building of tenement houses in the residential sections of the city is well taken. This is not a race question, and should not be considered as such if the steps to be taken to prevent the erection of these objectionable buildings are to be made effective. There must be no class legislation and no suspicion of such, and at the same time, there is no necessity of nor wisdom in bringing up any question of treaty rights.

The Japanese of Honolulu, as represented by their press and business men associations, are with the other citizens in their desire to preserve the beauties of the city intact, and the fact that it is Japanese who are building the tenements and that the licenses being taken out and applied for are in the names of Japanese does not make this an anti-Japanese fight any more than the fact that it is white capital that is being used in the erection of the buildings and for the legal defense of the builders makes an anti-Isle fight. Any references to the Japanese as a race, therefore, in the discussion of this question is impolitic and something that can not help the cause.

The seriousness of the question can not be doubted. Already, as a result of the erection of one camp, rental values in the neighborhood have fallen and insurance rates on adjoining buildings have gone up, while the appearance of the block has been seriously impaired, and like consequences will follow tenement house building elsewhere. The question is one that affects the community generally, and especially those who have their homes in the better sections of the city. It is to be hoped that the meeting called for Thursday night in the Senate Chamber at the Capitol will be well attended, and that steps may be decided upon there that will prove beneficial.

The matter requires delicate handling, however. Those who agitated in this city against the billboard nuisance, the same question in a milder and varied form, will remember how efforts toward legislation were blocked and how difficult a matter it proved to frame any legislation that seemed to cope with the situation and yet remain within the limits of the Constitution.

MOB INDICTMENTS AND JURY TRIALS.

Cable despatches yesterday told of nineteen indictments that had been returned against members of the night rider band who barbarously murdered a leading attorney of Tennessee, the case against the night riders having been prosecuted by Governor Patterson, who gave up his election speaking tour to assist in securing evidence in the case. Indictments are much easier to secure in such cases, however, than convictions. More than a hundred persons were indicted as a result of the anti-negro riots some months ago in Springfield, Illinois, in which State it would be thought a rioter would be easier convicted than in Tennessee. The prosecution of the cases against those indicted for negro murder and armed opposition to the militia failed utterly. The juries refused to bring in verdicts of guilty, even when those indicted were recommended for lesser crimes than killing. A Chicago paper said of these failures:

"When the trials began, it was feared that they would fail because of reluctant evidence; and the first case, that of a suspected leader in the lynching of an aged negro, bore out this premonition. But the result of the second and third trials points to a still deeper cause for doubt. Raymer, the man first tried, was again brought into court, this time on the inferior charge of destruction of property. Evidence was presented showing that Raymer was a member of the mob, and that he hurled bricks at the restaurant it destroyed. The court gave explicit instructions that if the testimony showed Raymer to have been with the mob he should be found guilty. The jury remained out sixteen hours and returned a verdict of acquittal. As the evidence in this case was probably as convincing as any that can be adduced to substantiate the remaining indictments, it looks very much as though no convictions were to be had. In a third case against another defendant a jury took the same course. It is for no one but court and jury to say whether or not the persons indicted are guilty; but there was rioting and murder, done by a mob made up of individuals, some of whom must be now under indictment, and it will be to Springfield's everlasting discredit if they shall all escape scot free. The outside world has turned to other topics and may not care; but there is something to be said about self-respect. What's wrong at Springfield?"

UNITED HONOLULU PROTESTS.

Public sentiment rose very high yesterday against the proposal to exchange Federal building sites and was reflected by a united press and by the temper of the public bodies which met to consider the issue raised. Duplicate resolutions drawn to express the dissent of the community were approved in spirit if not in letter by the Merchants' Association and the Chamber of Commerce, and committees were named to draft a new series which should express in more studied terms, the conclusions reached. These committees will be heard from on Monday and, as we believe, will make the fact perfectly clear to Washington that Honolulu has no sympathy with the project to undo the settlement of sites made with the accredited agent of the government.

The Governor's statement that he is "unaware of any developments in Washington tending to affect the Administration's attitude favoring the exchange of sites," seems to bear out the statement of Judge Cooper that the Executive approves the Irwin proposals. The Governor indicates, however, that his mind is open to anything Honolulu may wish to say on the subject.

GETTING TOGETHER.

A treaty which establishes peace and certain joint action between Japan and the United States is promptly followed by the announcement that the battleship fleet will leave Manila today, homeward-bound. The fleet entered the Pacific that its moral effect might be exercised upon a diplomatic situation which was to reach its climax about the time for the reassembling of Congress; and that situation having resolved itself to a friendly compact between the two great powers, the fighting craft on both sides are at liberty to return to their stations.

The agreement as given out at Washington has aspects of an alliance. The territories of each power are to be mutually respected. That is to say, Japan will not attack our Philippine war base and we will let Formosa and other Japanese war bases or territories alone. Both powers will oppose the partition of China; and if there are rows over the open door or other commercial question in the Far East, the United States and Japan will confer as to joint action. Thus, if Russia jets out a claw or two in the direction of, say, Mongolia; or if Germany proposed to annex all Shantung, the United States and Japan will at least talk about it without the presence of a third party; unless, may be, Great Britain, having a similar treaty with Japan, should be invited in.

This tends toward a long peace and shows, among other things, what a quieting effect on bellicose dispositions it is for all hands to be well prepared for war.

SHIPS THAT SHOULDN'T SINK.

Speaking of the loss of the steamer Finance, an American coaster, by collision with the White Star steamer Georgic, the question arises why should any passenger vessel sink unless cut in two, or irretrievably smashed for a long distance below the water line?

Is it not a fact that, with a proper and well-regulated system of air-tight compartments, the average wreck might be kept afloat indefinitely in seas of ordinary running? The other day the British warship Gladiator, sunk in the English channel, was raised and towed to port sustained by air-tight caissons on either side, caissons that contained no more air than sealed bulkheads should have. Suppose such caissons had been a part of the ship in the first place—could the vessel have sunk under the impact of the St. Paul?

If two inflated bladders will sustain an inert man on the surface of the sea, why should not a scientific system of air-compartments sustain a ship which, through accident, has lost its buoyancy?

Is it a fact that safety is sacrificed to make more cargo and passenger room? Or is it true that the unsinkable ship, so long promised, is but an iridescent dream?

A WAY AROUND.

Now that better sea-carriage has been given people at this port, it is less likely that Congress would suspend the shipping laws in favor of Hawaii even if the request that it do so were renewed by our commercial bodies.

This probability is made stronger by the pledges given the American shipping marine in the Chicago platform.

Nevertheless, something might be done, in line with party policy, to solve our troubles. A man may now go on a foreign vessel to another American port from here, or vice-versa, by breaking the law and paying a fine of \$200 for the offense. This levy is adequate as a fine, but it is preposterous as a tariff rate. For protection \$25 would be enough on an invoice ticketed at \$75. That being so, why not levy a tariff tax of \$25 on every \$75 ticket sold at Honolulu by an alien steamer—proportionately on other tickets—for taking a passenger to the Coast, the same thing to be done at the other end of the line for bringing him here? This should fairly protect American shipping interests from ruinous competition and yet give a man the right to embark on a foreign bottom without being robbed or being forced to make himself a technical law-breaker.

THE PALACE SQUARE SITE.

There are few residents of Honolulu who approve of the methods taken to exchange the Federal building site, approved of by the majority and purchased by the government, for the Irwin site on Palace Square. There are a number of citizens, however, who are expressing their sentiments again in favor of the Irwin site from the standpoint of civic beauty, although at the same time standing shoulder to shoulder with the practically unanimous majority in demanding the retention of the Mahuka site. It is probable that the feeling there is that the Irwin site might be better architecturally based on the idea that the site includes the present site of the Opera House, and that the Federal building, should it be built there, would form a group with the Capitol and Judiciary building. This supposition, which appears to be more or less general, is wrong.

The Irwin site, for which it is proposed by those interested to trade the Mahuka site, is only that portion of the block at present occupied by the tennis court and the deserted old stone building on the lot. It does not extend as far as the Opera House, neither does it extend through the block to Queen street. The Opera House would obtrude between the Federal and Judiciary buildings and on the makai and Waikiki side of the building would be the rows of dingy shacks lining Queen and Milliani streets.

As offered, the Irwin location has not even an architectural value over the Mahuka location, to say nothing of the accessibility of the site for the general public.

THE ACTION ON SITES.

The commercial bodies have acted wisely in the matter of the rival building sites. Resolutions strongly but respectfully opposing the exchange have been adopted by the Chamber of Commerce. The Merchants' Association, after framing a preamble which states, in the judgment of that body, that "such an exchange would be detrimental to the interests of the United States and contrary to the wishes of almost the entire community of this city who would, with few exceptions, disapprove of such a transaction," has passed a resolution authorizing a special postcard canvass of public sentiment, so that Washington may not be left in doubt as to the representative nature of the opposition. Meanwhile Delegate Kalaniana'ole has been advised of the wishes of Honolulu, as have the President and the Secretaries of the Treasury and the Interior. It is extremely doubtful, under such circumstances, that Washington will move further in favor of an exchange.

Without disrespect to the dead alii and the kings, who seem to have been pretty well supplied already with housing facilities, it seems a pity that so much money has yet to be spent upon them. The Territory is not rich in tax funds and to lavish large sums for marble and bronze in honor of these dead worthies is to deprive the living of utilities and comforts which they ought to possess. Hawaii needs better roads and new roads and bridges to open up the public lands for homesteads and make such lands taxable assets. It needs more schoolhouses, better paid teachers, a new judiciary building at Honolulu and some public structures elsewhere. To take money from our little store for merely decorative purposes and spend it in a graveyard which is already dignified by a fine mausoleum and some monuments, looks like bad financiering.

Harper's Weekly, in paying a really eloquent tribute to President Eliot of Harvard, proposes him for the English mission, from which Whitelaw Reid is about to retire. Mr. Reid, it was said, intended to come home to run for the United States Senate, but that place will go to Elihu Root. It is quite possible, however, that Mr. Reid may enter President Taft's cabinet as Secretary of State, he being the dean of American diplomats.

A speaker in the British House of Commons, at the time when Mrs. Pankhurst, a leading suffragette, was trying to force her way on to the floor of the House, described her as one "equally lacking in a woman's sense of modesty and a man's sense of honor." Even this failed to quiet Mrs. Pankhurst, and she was taken out by a policeman.

With reports of unprecedented snow at Denver—which means a good deal of deaths from freezing in California, and general laments over the price of coal from the Eastern States, the minimum of sixty-five degrees in the temperature in Honolulu yesterday doesn't seem so bad after all.

Honolulu's geographical position makes us sometimes the center of big things, and the fact that the agreement between America and Japan, over which the whole world is talking, was first announced here will make the new-gatherers of the world yet more likely to keep their eyes on Hawaii.

Prince Cupid arrived in Washington yesterday, just in time to get his coat off and get busy with the site resolutions that the cables will take to him this afternoon.

Now that the blasting in the harbor is over for the time being, an earthquake, if it comes, may hope to receive some recognition.

RAPID TRANSIT WINS ITS CASE

The decision of the Supreme Court in the Liliha street case is one of very great importance both to the Rapid Transit Company and to the public. The Rapid Transit Company had from the beginning of the operation of this line maintained a ten-minute service. In order to enable it to make improvements on the Kaimuki line, as it claimed, the company proposed to give a ten-minute service on Liliha street during the rush hours and a twenty-minute service during the rest of the day, giving a similar service to Kaimuki.

Property owners reached by the Liliha street line protested against this change, insisting on a ten-minute schedule throughout the day, and secured the permission of the Attorney-General to bring a suit for an injunction to restrain the company from giving less than a ten-minute schedule on Liliha street. A temporary injunction was secured, which was made permanent by Judge De Bolt on hearing, and this was affirmed by the Supreme Court of the Territory on appeal.

"The United States Supreme Court seems to have decided the case on the ground that the executive officers and not the courts are the ones to consider and approve changes in schedules," said Chief Justice Hartwell yesterday. "That question was scarcely raised before our court. It was not in the brief, and was only mentioned in the argument. The question is a close one, and it seemed better to give the benefit of the doubt to the full hearing in the courts rather than the ex parte hearing before executive officers."

It is probable that no action will be taken by the Rapid Transit Company until a full text of the decision has been received.

Another Kimura on Trial.

Last week a Japanese named Kimura was on trial before Judge Robinson and a jury charged with assaulting a Chinese with a knife. This week Judge Robinson and almost the same jury are trying another Kimura for a very similar offense, this Kimura being charged with assaulting a fellow Japanese, Nagata, with a knife. The offense is alleged to have taken place in the Winston block September 1. S. F. Chillingworth is defending and County Attorney Cathcart is prosecuting. The jury is as follows: Frank Foster, Patrick McGrath, Charles P. Osborne, Samuel K. Nainoa, William E. Paikuli, Duke H. Kahanamoku, John C. Abreu, Samuel A. Walker, Solomon K. Fukumura, Henry C. Vida, Charles K. Lewis, David K. Hoapili.

To Get Shingle Appointed.

In the proceeding for the appointment of Robert W. Shingle as one of the trustees of the estate of the late James Campbell, the defendants, Joseph O. Carter, the elder, and Cecil Brown, have filed a demurrer. The plaintiffs have joined in the demurrer and have moved that a day be set for argument on the demurrer.

Murder Case Goes Over.

The case of George Kaleikini, charged with the murder of his wife some months ago, appeared before Judge Robinson yesterday. But his attorney, W. C. Achi, was not present, and as the court was engaged in the trial of another case, this one went over until next Monday to be then set.

Appeal Dismissed.

H. W. Chase failed to appear yesterday in Judge Robinson's court when his appeal from the District Court was called, and the appeal was dismissed. Chase appealed from a fine of \$30 for furious and heedless driving with an automobile.

Watch for Symptoms of Croup.

Do not allow croup to develop. Chamberlain's Cough Remedy will prevent the attack. Watch for the first symptom, which is usually hoarseness and give this remedy freely. It should always be kept in the home where there are young children. For sale by all dealers. Benson, Smith & Co., agents for Hawaii.

HAWAIIAN SUPREME COURT DECISION IS SUSTAINED

(Associated Press Cablegrams.)

WASHINGTON, December 1.—The decision of the Supreme Court of Hawaii in the case of James L. Holt, Assessor, versus the Inter-Island Steam Navigation Company, has been sustained. This is a question of the right of the Assessor to garnish the wages of sailors employed by the steamship company for taxes.

The Hawaiian Supreme Court decision is reversed in the case involving the Rapid Transit Company's ten-minute service for Liliha street. The Hawaiian Court held that the courts rather than executive officers had jurisdiction over the company's schedule.

The case of Cotton Bros. versus Hawaii, involving loss of a dredger, was dismissed for want of jurisdiction. A government dredger was alleged to have been lost by Cotton Bros., and the Territory sued to recover the sum of \$25,000. The decision of the Supreme Court sustains that given in the local courts.

WASHINGTON, December 1.—Secretary of State Root and Ambassador Takahira have exchanged notes on an agreement between their respective governments defining the policies of America and Japan in the Far East. The text of the agreement will be published tomorrow.

WASHINGTON, December 1.—Tang Shao-yi, the Special Chinese Ambassador sent to America to thank the American government in the name of China for the remission of the payment of the Boxer uprising indemnity and who is supposed to be empowered to transact other important diplomatic business, arrived here yesterday.

WASHINGTON, December 1.—A bill has been prepared by the Postoffice Department for submission to Congress which abolishes the positions of four assistant postmasters general and creates the position of Director of Posts and provides for seven assistants.

PARIS, December 1.—The French government has refused permission to President Castro of Venezuela to come to Paris. President Castro desires to go to Europe to undergo an operation.

LOCAL BREVITIES.

(From Saturday's Advertiser.)

The semiannual report of the Bishop Museum has been filed in the Circuit Court. The receipts were \$88,435.22, and the expenditures \$80,246.85. The attendance of visitors at the museum has fallen off as compared with last year except among whites and Hawaiians.

Thomas Warren swore to a warrant yesterday for the arrest of Jos. Greene charging the latter with threatening his life. The warrant sets forth that after the use of obscene language Greene said: "Some day I'll put a bullet through you." The threat is alleged to have been made on November 25.

After waiting for two years United States Marshal Hendry has arrested Aino Yoshida who was indicted two years ago and gave bond for his appearance at the Hilo term of the United States District Court, but failed to appear. A lookout for him has been kept ever since. His whereabouts were learned a few days ago and Deputy Marshal Chillingworth was sent over with a warrant issued by Commissioner Kingsbury. This arrest will probably mean the holding of a term of the Federal court in Hilo this year.

(From Sunday's Advertiser.)

Lloyd Conkling of the Governor's office has been ill for the past two days. He expects to return to duty tomorrow.

J. A. Colburn, formerly chief engineer of the transport Meade, has returned to Honolulu after a year as chief engineer at Kukaia plantation. Cablegrams have been sent to Washington to the Chamber of Commerce's representative notifying him of the action taken by the Chamber in regard to the coastwise shipping law, that the Chamber will drop its agitation to have the law changed.

On Tuesday, December 8, the wedding of Miss Ethelinda Schaefer to Alfred Lowrey Castle will take place at 8 p. m. at St. Andrew's cathedral. Invitations have been issued by Mr. and Mrs. F. A. Schaefer.

The Hilo grand jury reported severe censure of County Attorney Charles Williams for failure to leave with his deputy necessary papers relating to cases coming before the grand jury. Thanks to Deputy Attorney General Larnach, for his businesslike methods, were also expressed.

Colonel John T. Baker is at the head of a Hawaiian cooperative concern which proposes shortly to establish a store in the fishmarket on King street for the sale, principally, of salmon, poi, dried fish, and other Hawaiian staples. Colonel Baker is the president of the organization; Charles Broad, treasurer, and William Isaac, secretary.

The Hawaiian Electric Company has announced an extra dividend of two per cent. in addition to the regular dividend. considerable damage to the telephone system there by blowing poles and wires down.

Governor Frear was to leave San Francisco last Friday evening. In that case he will probably reach Washington today or tomorrow. Good rains are reported from most parts of Maui. There was some rain in Kula, but not sufficient to entirely break the drought there.

THE ISLAND CURIO CO., Steiner's—Wholesale and retail dealers in Curios, Souvenirs, and Post Cards. Country stores supplied for Christmas trade.

Kaunano, a Hawaiian woman, aged seventy years, died Sunday at Nihoa, at the head of Liliha street. She was born in Honolulu and, it is supposed, had lived here all her life. She was a widow.

Acting Governor Mott-Smith has sent no communication to Governor Frear regarding the Federal building, site matter and does not expect to. Lloyd Conkling is supposed to have called.

Deputy Attorney General Whitney is drafting a bill for presentation to the Legislature making the bringing of a suit in the Circuit Court notice of a contingent lien on the real property of the defendant, to become an actual lien if judgment against the defendant is awarded.

Two Japanese fishermen, while off Koko Head, last Saturday suffered the capsizing of their sampan. They were four or five miles from shore. They managed to right the sampan, but could not bale out the water, nor were they able to steer the craft. It drifted toward shore, and when a mile or so out, each man took a plank from the flooring and with the aid thus derived made their way to the shore. The abandoned sampan was found Sunday by Archie Robertson and others near the reef at Kalawai.